

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS

JANUARY 29, 2013

Modifications to Code Provisions Relating to Nuisance Abatement

Certain unlawful uses of real property in the unincorporated areas of the County of Los Angeles (County), which include but are not limited to, illegal scrap metal yards, unpermitted boarding houses and dilapidated residential structures, have been demonstrated to endanger public health, safety and welfare, invite crime, interfere with enjoyment of property, reduce property values, degrade the environment, and negatively impact the quality of life of residents living in the vicinity.

However, the Los Angeles County Code (Code) currently lacks a provision declaring the use of properties in violation of local building, housing, environmental, fire, health, electrical, mechanical, plumbing, animal and business license laws a public nuisance. Declaring the use of properties in violation of the Code a public nuisance would constitute recognition by the Board of Supervisors that such unlawful acts pose harm to public health, safety and welfare and would allow for enactment of additional procedures and remedies for abatement of such public nuisances.

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Additionally, the Code does not contain provisions authorizing recovery of the County's nuisance abatement costs and attorney's fees or imposition of civil penalties in cases where the County enforces violation of its laws in court. The absence of these aforementioned legal remedies undermines the County's ability to ensure compliance with its laws, rules, regulations and permits in an efficient and timely manner.

Enactment of a comprehensive nuisance abatement ordinance is necessary to create an additional deterrent for owners and occupants who maintain their properties in violation of the County's laws, and would allow the County to recover its costs associated with enforcement of those laws.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

Direct County Counsel to draft a Nuisance Abatement Ordinance that would amend the Los Angeles County Code in order to equip the County of Los Angeles with additional legal tools for more effective prosecution of cases involving public nuisance properties in our unincorporated communities, including, but not limited to, provisions authorizing recovery of the County's nuisance abatement costs and attorney's fees or imposition of civil penalties in cases where the County enforces violation of its laws in court, and bring this ordinance before the Board of Supervisors for approval within the next 60 days.

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